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Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 08-0865 JW
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED]
	)	ORDER CONTINUING STATUS
v.	)	HEARING AND EXCLUDING TIME
	)	FROM THE SPEEDY TRIAL ACT
	)	CALCULATION (18 U.S.C.
GARY RAY BASSETT,	)	§ 3161(h)(8)(A))
	)	
Defendant.	)	

This matter was scheduled before the Court for a status hearing on December 14, 2009. The parties learned earlier today that the defendant's ongoing medical issues created a situation where the Marshals were unable to transfer the defendant to Court for his status hearing this afternoon. Due to this development, the parties respectfully request that this matter be continued until February 8, 2010 for disposition or trial setting. The parties will work with the Marshals to facilitate whatever accommodations to the defendant's medical situation need to be made to facilitate his appearance at that February 8, 2010 hearing. The parties agree, and the Court finds and holds, as follows:

1. This matter is continued to February 8, 2010 for disposition or trial setting.

1           2.       The time between December 14, 2009 and February 8, 2010 is excluded under the  
2 Speedy Trial Act. The parties agree that the failure to grant the requested continuance would  
3 unreasonably deny defense counsel reasonable time necessary for effective preparation, taking  
4 into account the exercise of due diligence. Finally, the parties agree that the ends of justice  
5 served by granting the requested continuance outweigh the best interest of the public and the  
6 defendant in a speedy trial and in the prompt disposition of criminal cases. 18 U.S.C. §  
7 3161(h)(8)(A).

8 IT IS SO STIPULATED:

9 DATED: 12/14/09

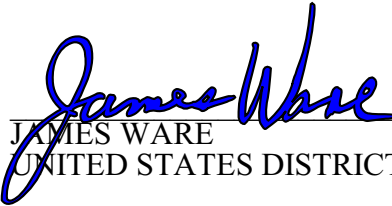
/s/  
ROBERT HARTMANN  
Attorney for Defendant Bassett

12 DATED: 12/14/09

/s/  
JOSEPH A. FAZIOLI  
Assistant United States Attorney

14 IT IS SO ORDERED.

15 DATED: December 14, 2009

  
JAMES WARE  
UNITED STATES DISTRICT JUDGE